



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

FEB 14 2012

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Sidney Holbrook, Executive Director
Greater New Haven Water Pollution Control Authority
260 East Street
New Haven, CT 06511

Re: Request for Information Pursuant to Section 308 of the Clean Water Act, EPA Docket No. 12-308-16

Dear Mr. Holbrook:

Section 308(a) of the Federal Clean Water Act (the "Act"), 33 U.S.C. § 1318(a), authorizes the Environmental Protection Agency ("EPA") to require any owner or operator of a point source to provide information needed to determine whether there has been a violation of the Act. Accordingly, the Greater New Haven Water Pollution Control Authority ("GNHWPCA") is hereby required, pursuant to Section 308(a) of the Act, 33 U.S.C. § 1318(a) to respond to this Request for Information (the "Request") in accordance with the schedules provided herein. Please read the instructions in Attachment No. 1 carefully before preparing your response and answer each question in Attachment No. 2 as clearly and completely as possible.

Your response to this Request must also be accompanied by a certificate that is signed and dated by the person who is authorized to respond to the Request. A Statement of Certification, Attachment No. 3, is attached to this letter.

Information submitted pursuant to this Request shall be sent by certified mail and shall be addressed as follows:

United States Environmental Protection Agency
New England Region
5 Post Office Square Suite 100 (OES 04-03)
Boston, MA 02109-3912
Attn: Michael Fedak

and

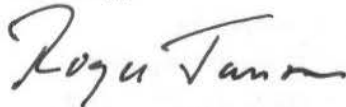
Connecticut Department of Energy and Environmental Protection
Municipal Facilities, Planning & Standards
Water Protection and Land Reuse
79 Elm Street
Hartford, CT 06106-5127
Attention: George Hicks

Compliance with this Request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond, within the time frame specified above, also constitutes a violation of the Clean Water Act subject to enforcement action, including the assessment of penalties. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal prosecution under 18 U.S.C. § 1001.

The GNHWPCA may assert a business confidentiality claim with respect to part or all of the information submitted to EPA in the manner described at 40 C.F.R. Part 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is submitted to EPA, the information may be made available to the public by EPA without further notice to GNHWPCA.

If you have questions regarding this Request, please contact Michael Fedak of my staff at 617-918-1766 or have your attorney contact Michael Wagner at 617-918-1735.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roger Janson".

Roger Janson, Manager
Technical Enforcement Programs
Office of Environmental Stewardship

Attachments

Attachment No. 1

Information Request

1. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Request. Precede each answer with the text and the number of the question and the subpart to which the answer corresponds.
2. If any question cannot be answered in full, answer to the extent possible. If your responses are qualified in any manner, please explain.
3. Any documents referenced or relied upon by you to answer any of the questions in the Request must be copied and submitted to EPA with your response. All documents must contain a notation indicating the question and subpart to which they are responding. If the documentation that supports a response to one item duplicates the documentation that supports another item, submit one copy of the documentation and reference the documentation in subsequent responses
4. If information or documents not known or not available to GNHWPCA as of the date of the submission of its response to this Request should later become known, or available to GNHWPCA, the GNHWPCA must supplement its response. Moreover, should the GNHWPCA find at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, the GNHWPCA must notify the EPA and the Connecticut Department of Energy and Environmental Protection ("CTDEEP") of this fact as soon as possible and provide a corrected response.

Attachment No. 2
Respond to the Following

With respect to the wastewater collection and treatment facilities owned and operated by the GNHWPCA following the sale of the City of New Haven's ("City") assets to the Greater New Haven Water Pollution Control Authority ("GNHWPCA"), provide the following information by **April 15, 2012**:

I. Dry-Weather Bypasses and Overflows

Submit a Dry-Weather Overflow Report. The Dry-Weather Overflow Report shall provide the following information for all dry-weather overflows that occurred since January 1, 2007.

- A. Provide a listing and description, organized chronologically, of all dry-weather overflows, bypasses, spills, releases, or discharges of raw or partially-treated wastewater to surface waters from the GNHWPCA's wastewater collection system (the "Collection System") that occurred at locations at which the GNHWPCA was authorized by its NPDES permit to discharge combined sewer overflows ("CSOs"). The listing and descriptions shall be organized chronologically and shall include all such events regardless of cause, including, but not limited to, roots, grease, debris, and vandalism blockages as well as mechanical, electrical and structural failures.
- B. For each discharge identified in response to Item I.A., above, submit copies of all notifications, including internal communications such as memos, e-mails, phone logs, police logs, and citizen complaints and external communications such as letters, the Connecticut Department of Environmental Protection's ("CTDEP") and its successor agency, the Connecticut Department of Energy and Environmental Protection's ("CTDEEP") reporting forms, and e-mail messages of each overflow, spill, release or discharge of pollutants to surface waters along with the following information:
 - 1. The location at which the dry-weather discharge occurred;
 - 2. A schematic of the appurtenant Collection System facilities, including the regulator, if any, designed to control discharges at the location;
 - 3. The date and time on which the discharge event began and was stopped or if it is continuing, an estimated schedule for its termination. Include a description of the corrective action;
 - 4. The receiving water of each discharge;
 - 5. The conditions under which the discharge occurs, including an estimate of the number of dry-weather discharges annually, the estimated annual volume, and the cause(s) of discharge at the location;

6. A description of efforts made to reduce and/or eliminate the frequency and duration of dry-weather overflow events at the location, including operation and maintenance efforts and construction activities and their related costs; and
 7. The length of time over which the dry-weather discharges occurred at each location.
- C. Provide a listing and description of all bypasses, overflows, spills, releases including building/private property backups from the GNHWPCA's Collection System that occurred during dry weather at locations for which the GNHWPCA is **not** authorized by its NPDES permit to discharge wastewater. The listing and descriptions shall be organized chronologically and shall include all such bypasses, overflows, spills, releases regardless of cause including, but not limited to, capacity limitations, roots, grease, debris, and vandalism blockages as well as mechanical, electrical, and structural failures.

II. Wet-Weather Bypasses and Overflows

Submit a Wet-Weather Overflow Report. The Wet-Weather Overflow Report shall provide the following information for all wet-weather overflows that occurred since January 1, 2007:

- A. A listing and description of all bypasses, overflows, spills, releases including building/private property backups from the GNHWPCA's Collection System that occurred during, or as a result of, wet weather at locations for which the GNHWPCA is **not** authorized by its NPDES permit to discharge wastewater. The listing and descriptions shall be organized chronologically and shall include all such bypasses, overflows, spills, releases regardless of cause including, but not limited to, infiltration/inflow, capacity limitations, roots, grease, debris, and vandalism blockages as well as mechanical, electrical, and structural failures.

III. Bypass and Overflow Documentation

- A. For each event identified in response to Item I.C. and II.A. submit copies of all notifications, including internal communications such as memos, e-mails, phone logs, police logs, and citizen complaints and external communications such as letters, CTDEP and CTDEEP reporting forms, and e-mail messages of each overflow, bypass, spill, and release or discharge of pollutants to surface waters along with the following information:
1. The date and times that the event began or was discovered/reported, and the date the event was stopped or if it is continuing, a schedule for its termination;
 2. The location, including nearest property address, of each such event;
 3. The source of notification (property owner, field crew, police, etc.);

4. The specific cause of the event including, but not limited to, whether it was caused by debris, fats, oils, and grease, or root blockages; collapsed pipes; mechanical, electrical, or structural failures; hydraulic overloads; and/or vandalism;
5. The estimated gallons of wastewater released and the method used to estimate the volume;
6. A clear statement of whether the release did, or did not, reach a storm water catch basin or any other portion of the City's Municipal Separate Storm Sewer System ("MS4"). If the release occurred to the ground or street, regardless of whether the discharge reached any portion of the City's MS4, the GNHWPCA shall provide the distance to the nearest down gradient storm water catch basin and the name of the receiving water to which the catch basin discharges;
7. A clear statement of whether the release did or did not reach any surface water. If the release reached a surface water, the GNHWPCA shall include the name of the surface water and a description of the location where the release reached the surface water;
8. The estimated gallons of wastewater discharged to the MS4 or surface water, and the method used to estimate the volume;
9. The measures taken to stop the overflow and decontaminate the area affected by the overflow;
10. The measures taken to prevent future overflows at the same location;
11. The date the overflow was reported to the CTDEP or CTDEEP by the GNHWPCA; and
12. The date of the last overflow at the same location.

IV. General Documentation

- A. With respect to the above-referenced Wet and Dry-Weather Reports and the Collection System that is owned and operated by the GNHWPCA, provide the following information:
 1. A map(s) of the GNHWPCA's Collection System that identifies:
 - a. the location of all wastewater conveyance and treatment systems including pump stations, lift stations, force mains and siphons. The map(s) shall clearly depict the size and direction of flow of all sewers and distinguish between combined and sanitary sewers. The map(s) shall also be annotated to contain the location of each Collection System overflow, bypass, spill, and release reported pursuant to Paragraphs I.A., I.C., and II.A. of this Request. Please supplement the information on the map with the location of the

following types of bypasses reported by the GNHWPCA, with color coding to distinguish the different bypass types:

- Dry weather with discharge to receiving waters;
 - Wet weather with discharge to receiving waters;
 - Dry weather with no discharge to receiving waters;
 - Wet weather with no discharge to receiving waters; and
 - Wet-weather discharge during storm events
- b. all sewer sections, siphons, lift stations, pump stations and/or force mains at which the GNHWPCA has experienced structural integrity, maintenance, or capacity problems since January 1, 2007. In responding to this item, please consult with the GNHWPCA's contract operations staff that is responsible for addressing such problems and provide description(s) of the cause(s) of the problems and the repairs and specific measures that were implemented to address and prevent reoccurrence of these problems at the identified locations. Separate versions or overlays of the map(s) that are responsive to this paragraph may be submitted in lieu of a single map at the GNHWPCA's discretion.

B. With respect to the Collection System that is owned and operated by the GNHWPCA provide:

1. Copies of any documents associated with enforcement actions (administrative orders, consent orders, or stipulated judgements, etc...) initiated against the GNHWPCA by the CTDEP or the CTDEEP since the sale of the City's assets to the GNHWPCA requiring the GNHWPCA to address any capacity, structural, Infiltration/Inflow ("I/I"), or maintenance problems in its separate sanitary Collection System;
2. Copies of all documents submitted in response to these enforcement actions;
3. An assessment of the GNHWPCA's compliance with each schedule milestone established in these enforcement actions;
4. A listing of all engineering, preventative maintenance, I/I or Sewer System Evaluation Survey ("SSES") reports that address any capacity, maintenance, or I/I problems in its separate Sanitary Collection System that have been prepared by, or for, the GNHWPCA since the sale of the City's assets to the GNHWPCA. List each recommendation contained in these documents and describe the status of the GNHWPCA's implementation of each recommendation. If the GNHWPCA has failed to implement any specific recommendation of these reports, provide a brief rationale for the decision not to implement the recommendation. For those recommendations that will be implemented in the future, provide a schedule for their implementation and estimate the capital and operation and maintenance costs associated with their implementation;

5. Copies of all correspondence between the GNHWPCA, its contract operator, the City, the CTDEP or the CTDEEP issued, or received, since the sale of the City's assets to the GNHWPCA concerning any separate Sanitary Collection System capacity, maintenance, I/I or SSES issues;
6. Copies of the annual operation and maintenance budgets for the Collection System beginning with the first fiscal year that GNHWPCA assumed ownership of the City's wastewater assets;
7. A copy of the current contract including all amendments between the GNHWPCA and its Collection System and wastewater treatment plant ("WWTP") operations contractor. To the extent that the GNHWPCA budgets additional resources to Collection System operations provide staffing level analyses for the last three years, including the current fiscal year, which detail the following:
 - a. budgeted positions;
 - b. vacant positions; and,
 - c. a brief description of the responsibilities of each position clearly distinguishing Collection System maintenance responsibilities from the WWTP and other public works operations.
8. Copies of all reports prepared since the sale of the City's assets to the GNHWPCA exclusive of the reports referenced in Section VI. that assess the adequacy of the GNHWPCA's Collection System operations and maintenance programs, budgets, and the adequacy of the method of financing. Describe the status of GNHWPCA's implementation of each of the recommendations contained in such reports.
9. A description of all Collection System and pump station maintenance equipment owned by the GNHWPCA or dedicated to the operation of the Collection System by GNHWPCA's contract operator including, but not limited to, rolling stock, specialty equipment, safety equipment and spare parts.
10. A listing of all pump stations located within the Collection System supported by the map required by Item No. IV.A.1. denoting the location of each of the pump stations. For each pump station provide the following:
 - a. identify whether the pump station is owned by the GNHWPCA or a private entity;
 - b. describe the physical characteristics of each pump station including the number of pumps, peak pumping capacity with one pump out of service, and the extreme working volume of each wet well defined as the volume between high and low level alarms;
 - c. describe the frequency with which each pump station is inspected;

- d. identify which pump stations are equipped with alarms and on-site alternative power; and
 - e. list the number of portable generators owned by the GNHWPCA, or its contract operator, and the number of pump stations that are served by these portable generators.
- V. With respect to the ("WWTP") owned by the GNHWPCA, provide the following information:
- A. Submit copies of all engineering evaluations and reports that address any WWTP deficiency, capacity, operations and maintenance, or treatment issues that have been prepared by, or for, the GNHWPCA since the sale of the City's assets to the GNHWPCA. List each recommendation contained in these documents and describe the status of the GNHWPCA's implementation of each recommendation. If the GNHWPCA has failed to implement any specific recommendation of these reports, provide a brief rationale for the decision not to implement the recommendation. For those recommendations that will be implemented in the future, provide a schedule for their implementation and estimate the capital and operation and maintenance costs associated with their implementation.
 - B. Submit copies of all correspondence between the GNHWPCA, the City, its contract operator, or the CTDEP or the CTDEEP issued, or received, since the sale of the City's assets to the GNHWPCA, concerning any WWTP, capacity, operation and maintenance, and treatment issues.
 - C. Provide a daily listing of the type and number of unit operations and processes (e.g., bar racks, primary settling tanks, aeration tanks and secondary settling tanks) that were out of service on each day since January 1, 2007. Identify the operations and processes that were out of service on each day of the previous month as a separate attachment to future monthly Discharge Monitoring Report ("DMR") submissions to the CTDEEP.
 - D. Provide a large-scale schematic that indicates the location of all flow meters utilized to measure WWTP flows (i.e., total influent, primary effluent, secondary bypass, secondary effluent, and total effluent). On the same schematic, clearly identify the location of all compliance sampling locations and recycle stream discharge locations including, but not limited to sludge dewatering filtrate, etc... Describe any changes in compliance sampling locations that have occurred since January 1, 2007, and the date that the changes were made. Describe any planned changes to be made to any of the recycle stream discharge locations and provide the location of any planned changes on the schematic. Please also provide the daily time period over which the flows reported in the GNHWPCA's Monthly Operating Reports ("MOR") and DMRs are measured and/or quantified. If different time periods are used to monitor different flow values, please explain the basis for selecting the different time periods. Please explain how the reported daily results for each of the above flow values are derived, measured, and/or quantified.

- E. Describe the GNHWPCA's high flow management practices including the process and criteria for deciding when to initiate and terminate a secondary bypass that have been in place since January 1, 2007. Provide all records of the date, time, and conditions under which a bypass was initiated and terminated, and all attempts to measure, estimate, or quantity of each secondary bypass since January 1, 2007. Describe how bypassed flows are currently quantified. Describe any changes that occurred in the GNHWPCA's high flow management practices since January 1, 2007, and the date the changes were implemented.
 - F. Provide all analytical data for all flows that bypassed secondary treatment for five-day biochemical oxygen demand, total suspended solids, fecal coliform, and total residual chlorine in accordance with Table C, Footnote 3 of the City's March 28, 2002 NPDES permit, and Table A, Footnote 3 of the GNHWPCA's October 1, 2010 NPDES permit.
- VI. The April, 2011 Wastewater Affordability Study ("Affordability Analysis") includes various, and sometimes conflicting estimates of the number of households that comprise the GNHWPCA's service area and then serve as the basis of the affordability calculations. The Affordability Analysis is also unclear as to how significant non-residential populations such as those associated with educational institutions were accounted for in the calculation of user rates. In order to verify the Estimated Household costs included in Table 3-2 of the Affordability Analysis, please provide the following information by **March 31, 2012**:
- A. Provide an itemized listing of the Commercial, Industrial, and Public Authority accounts and the related flow contributions that were used as the bases for the FY 2010 flow estimates included in Table 2-2 of the Affordability Analysis.
 - B. For fiscal years 2008, 2009, 2010, and 2011, what was the total revenue collected from residential users in each of the member communities? From commercial users in each of the member communities? From industrial users in each of the member communities? From Public Authorities in each of the member communities? From all other sources, itemized by source in each of the member communities?
 - C. Provide a searchable electronic excel data base on a DVD or compact disk(s) of the GNHWPCA's user charge quarterly billings for fiscal year 2011. The records shall be separated into commercial, industrial, residential, and public authority categories and shall include the following information:
 - 1. The street address of the billed property;
 - 2. The volume of water that served as the basis of the quarterly user charge;
 - 3. The number of housing units that comprised the account; and
 - 4. The user charge that was billed for the quarter.

The electronic data base shall be accompanied by an explanation of the basis of the user charge calculation for each category of user and shall include the total annual revenues raised for each category of user.

- D. Provide an itemized listing of the sources of all other wastewater account revenues for the 2011 fiscal year that were not included in the response to question VI.C. The listing shall be sorted by account type and shall include the following:
 - 1. The name of the account;
 - 2. The revenues that were collected; and
 - 3. The basis of the revenues that were collected.
 - E. Provide a copy of the agreement between the GNHWPCA and the City regarding the assumption of the City's wastewater assets and debts and all subsequent amendments.
 - F. Explain the basis for the valuation of assets that the GNHWPCA accepted control over upon its creation.
 - G. Provide an updated version of Table 3-1 of the Affordability Analysis that lists the bonds that were issued by the GNHWPCA to include the updated balances for each bond series. In addition, please explain why the Original Par Amount listed in Table 3-1 of the Affordability Analysis differs significantly from the Par Amount listed in IV.A. of the March 31, 2011 Cost of Service Study.
 - H. Identify all transfers of assets from the GNHWPCA to the City that have occurred subsequent to the original sale and explain whether that transfer was a loan or a permanent transfer.
- VII. By **April 15, 2012**, submit a plan to install continuous monitoring devices to quantify and record the discharges from those CSO locations that are currently not continuously monitored. The plan shall include the installation of the meters by December 31, 2012. Upon installation and calibration of the flow meters, the GNHWPCA shall submit an annual listing of discharges from its CSO outfalls to the CTDEEP and EPA at the addresses listed in this letter no later than February 15, 2013 that includes the following:
- A. Activation frequency and discharge volume for each CSO organized chronologically, by outfall;
 - B. Daily precipitation records including total rainfall and peak intensity

End of Questions

Attachment No. 3

Statement of Certification

I declare under penalty of perjury that I am authorized to respond on behalf of the Greater New Haven Water Pollution Control Authority of New Haven, Connecticut. I certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Printed Name)

(Title)

(Date)